

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

PRIME HARVEST, INC.,

Plaintiff,

V.

LEGACY BANK, *et al.*;

Defendants.

Case No. CIV-24-476-SLP

ORDER

Before the Court is Plaintiff's Response [Doc. No. 3] to the Court's Order to Show Cause entered on August 28, 2024 [Doc. No. 2]. Plaintiff requests a ninety (90) day permissive extension of its deadline to effect service of process. Plaintiff represents it has been exploring global settlement options with Defendants and considering whether to file an adversary complaint in its ongoing Chapter 11 bankruptcy proceeding in lieu of proceeding in this action.

The Court must extend the deadline for service when a plaintiff shows good cause. Fed. R. Civ. P. 4(m). In the absence of good cause, the Court has discretion to grant a permissive extension. *Espinoza v. United States*, 52 F.3d 838, 841 (10th Cir. 1995). Based on Plaintiff's representations, the Court finds the circumstances of this case justify a permissive extension. Accordingly, the Court GRANTS Plaintiff an additional 90 days to effect service of process. Plaintiff shall serve the Defendants on or before November 6, 2024. Failure to timely effect service of process may result in dismissal of this action without prejudice.

IT IS SO ORDERED this 9th day of September, 2024.

A handwritten signature in blue ink, reading "Scott L. Palk", is written over a horizontal line.

SCOTT L. PALK
UNITED STATES DISTRICT JUDGE